

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
CIVIL MINUTES – GENERAL

Case No. 8:22-cv-00867-CJC-KES

Date May 31, 2022

Title IQE plc v. Newport Fab, LLC et al

Present: The Honorable CORMAC J. CARNEY, UNITED STATES DISTRICT JUDGE

Rolls Royce Paschal

Deputy Clerk

None Present

Court Reporter

Attorneys Present for Plaintiffs:

None Present

Attorneys Present for Defendants:

None Present

**Proceedings: (IN CHAMBERS) ORDER TO SHOW CAUSE RE PARTIAL
DISMISSAL FOR LACK OF PROSECUTION**

Plaintiffs are required to prosecute their cases diligently. That includes, where applicable, promptly (a) filing stipulations extending a defendant's time to respond to the complaint, (b) pursuing default and remedies under Federal Rule of Civil Procedure 55 when a defendant fails to timely respond to the complaint, or (c) dismissing claims against a defendant that the plaintiff has chosen not to pursue for any reason.

Here, Plaintiff has filed proof of services as to **Defendants David J Howard, Edward Preisler, Marco Racanelli, Newport Fab, LLC, and Tower U.S. Holdings Inc.** yet the deadline for that Defendant's response to the Complaint has passed and Plaintiff has taken no action. Accordingly, the Court, on its own motion, hereby **ORDERS** Plaintiff to show cause in writing, no later than **June 2, 2022** why **these Defendants** should not be dismissed from this action for lack of prosecution. As an alternative to a written response by Plaintiff, the Court will consider as an appropriate response to this OSC the filing of one of the following on or before the above date:

1. Plaintiff's Request for Entry of Default **as to these Defendants** or these Defendants' Answer
2. A stipulation extending this Defendants' time to respond to the Complaint that complies with Local Rule 8.3, or
3. A Notice of Voluntary Dismissal **of these Defendants** (Fed. R. Civ. P. 41).

No oral argument will be heard on this matter unless ordered by the Court. The Order will stand submitted upon the filing of a timely and appropriate response. Failure to file a timely and appropriate response to this Order may result in dismissal of Plaintiff's claims against this defendant.

Initials of Deputy Clerk

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